

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-against-

JOSEPH HOATS

Defendant.

ORDER

19 Cr. 67 (PGG)

PAUL G. GARDEPHE, U.S.D.J.:

WHEREAS, defendant Joseph Hoats wishes to plead guilty before a Magistrate Judge;

WHEREAS, in light of the ongoing COVID-19 pandemic, the proceeding is scheduled to take place remotely;

WHEREAS the Court understands that the assigned Magistrate Judge shall hear the defendant's plea by telephone because videoconferencing is not reasonably available;

WHEREAS the CARES Act and findings made by the Judicial Conference of the United States and Chief Judge Colleen McMahon of the Southern District of New York allow for guilty pleas to be taken by phone or video, subject to certain findings made by the presiding District Judge;

WHEREAS the defendant resides in California, which is subject to New York State's COVID-19 travel advisory and mandatory quarantine and thus an in-person proceeding would be impracticable;

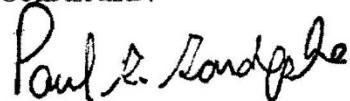
WHEREAS the offense of conviction carries no mandatory minimum sentence and thus it is possible that the Court may impose a sentence of time served;

WHEREAS the Government has indicated it intends to present a proposed superseding indictment to the grand jury if there is no pretrial disposition.

THE COURT HEREBY FINDS, that because the defendant, after consultation with counsel, has consented to proceeding remotely, the plea proceeding cannot be further delayed without serious harm to the interests of justice.

Dated: New York, New York
October 14, 2020

SO ORDERED.



Paul G. Gardephe
United States District Judge